

REMARKS/COMMENTS

Claims 12 and 13 have been canceled. Claims 1-11 and 14 and new Claim 15 are active in the case. Reconsideration is respectfully requested.

The present invention relates to bis(5-aryl-2-pyridyl) compounds and their IgE antibody production inhibiting properties.

Claim Amendments

Several of the claims have been amended in order to make minor corrections thereto. In addition, Claims 6-9 and 14 have been amended in order to correct a typographical error in these claims from "bis(2-aryl-5-pyridyl)" to -- bis(5-aryl-2-pyridyl) --. It is clear from the entire body of the specification what the correct order of numbering is.

Claim 14 has been amended so that it is commensurate with Claim 1. None of the amendments are believed to have introduced new matter into the claims. Entry of the amendments and new Claim 15 into the record is respectfully requested.

Claim Rejection, 35 USC 112, First Paragraph

As to the matter of the prevention of a disease condition, only Claim 10 recited such a limitation. However, the prevention aspect of treatment has now been deleted from the claim. Accordingly, the issue that has been raised is believed to have been obviated and withdrawal of the rejection is respectfully requested.

Claim Rejection, 35 USC 112, Second Paragraph

As to the matter of Claim 4, it is believed that the amendments made to the claims which define the generic groups of radicals in terms of the specific radicals mentioned in Claim 2 is sufficient to obviate the issue that has been raised.

As to Claim 7, the meaning of the same is believed clarified by the change in dependency of the claim to Claim 4 which defines the broader meaning of 1 to 3 substituents.

Claims 9-11 have been amended by deleting the term "medicinal composition" in favor of the phrase "a therapeutic agent having IgE antibody production inhibiting activity." It is believed that this term is sufficiently defining of the medicinal composition of the present invention, and withdrawal of the rejection is respectfully requested.

The rejection of Claim 12 is believed obviated by its cancellation in favor of new Claim 15 which is directed to a method per se of inhibiting IgE antibody production. New Claim 12 is formatted in standard method claim format. Accordingly, the rejection of the claim is believed to have been obviated, and withdrawal of the rejection is respectfully requested.

Applicants enclose a copy of Form 1449 that was filed with the IDS of the original application. Reference AW has not been indicated as considered by the Examiner. Accordingly, the Examiner is requested to initial the document in the appropriate place to show her consideration of the document. Return of a copy of the initialed document is respectfully requested.

It is believed that the application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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MAIER & NEUSTADT, P.C.
Norman F. Oblon

Customer Number

22850



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Registration No. 27,013



SHEET 1 OF 2

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 244288US0DIV	PATENT & TRADEMARK OFFICE		SERIAL NO. New Application
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Hiroyuki ISHIWATA, et al.					
		FILING DATE Herewith		GROUP			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
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	AF						
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	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
					YES	NO	
	AO	1-106818	04/24/89	JAPAN (w/English abstract)			xx
	AP	7-017506	03/01/95	JAPAN (w/English abstract)			xx
	AQ	8-092216	04/09/96	JAPAN (w/English abstract)			xx
	AR	8-109177	04/30/96	JAPAN (w/English abstract)			xx
	AS	10-324631	12/08/98	JAPAN (w/English abstract)			xx
	AT	11-269192	10/05/99	JAPAN (w/English abstract)			xx
	AU	59-167564	09/21/84	JAPAN (w/English abstract)			xx
	AV	WO 96/11682	1996	WIPO (corr. EP 0 787 491)			
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	Cas printout for Hagen et al., Synthesis and cardiovascular properties of 5-(4-pyridinyl)-, 6-methyl-5-(4-pyridinyl)- and 6-methyl 5-phenyl -substituted 3-cyano-2-aminoalkylaminopyridines, Pharmazie 45: 240-241, 1990.					
	AX	Robert B. Fick, Jr., Current Opinion in Pulmonary Medicine, vol. 5, pages 76-80, "ANTI-IgE AS NOVEL THERAPY FOR THE TREATMENT OF ASTHMA", 1999.					
	AY	Farhad Imani, Emerging Therapeutic Targets, vol. 3, no. 2, pages 229-240, "EMERGING THERAPEUTIC TARGETS IN ASTHMA AND ALLERGY: MODULATION OF IgE", 1999.					
	AZ	Henry Milgrom, et al., The New England Journal of Medicine, vol. 341, no. 26, pages 1966-1973, "TREATMENT OF ALLERGIC ASTHMA WITH MONOClonal ANTI-IgE ANTIBODY", December 23, 1999.				<input checked="" type="checkbox"/> Additional References sheet(s) attached	
Examiner				Date Considered			
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AAA						
	AAB						
	AAC						
	AAD						
	AAE						
	AAF						
	AAG						
	AAH						
	AAI						
	AAJ						
	AAK						
	AAL						
	AAM						
	AAN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
					YES	NO	
	AAO	0 787 491	08/06/97	EUROPE			
	AAP	WO 98/04508	02/05/98	WIPO (w/English abstract)			xx
	AAQ	WO 98/07702	02/26/98	WIPO (w/English abstract)			xx
	AAR	WO 98/16497	04/23/98	WIPO (w/English abstract)			xx
	AAS	WO 99/19291	04/22/99	WIPO (w/English abstract)			xx
	AAT	WO 99/35140	07/15/99	WIPO			
	AAU	WO 99/38829	08/05/99	WIPO (w/English abstract)			xx
	AAV	WO 99/42446	08/26/99	WIPO (w/English abstract)			xx
	AAW	WO 00/05198	02/03/00	WIPO (w/English abstract)			xx
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
AAX	Naosuke Matsuura, et al., Jpn. Pharmacol. Ther., vol. 22, no. 3, pages 1369-1383, "AN IMMUNOPHARMACOLOGICAL STUDY OF (\pm) - [2- (4-(3-ETHOXY-2-HYDROXYPROPOXY) PHENYLCARBAMOYL] ETHYL] DIMETHYLSULFONIUM P-TOLUENESULFONATE (SUPLATAST TOSILATE, IPD-1151T)", 1994.						
AAY							
AAZ					<input type="checkbox"/> Additional References sheet(s) attached		
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							